

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

LORA L. SPENCE,	:	
Plaintiff,	:	Case No. 3:11cv00341
vs.	:	District Judge Thomas M. Rose
MICHAEL J. ASTRUE, Commissioner of the Social Security Administration,	:	Magistrate Judge Sharon L. Ovington
Defendant.	:	

DECISION AND ENTRY

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #9), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on April 4, 2012 (Doc. #9) is **ADOPTED** in full;
2. Defendant's Motion to Remand (Doc. #7) is **GRANTED**;
3. This matter is **REMANDED** to the Social Security Administration pursuant to Sentence Six of 42 U.S.C. §405(g) for further proceedings consistent with the Report and Recommendations (Doc. #9), and this Decision and Entry; and,
4. On remand, further efforts should be taken to locate the missing materials, and

if these efforts prove unsuccessful, to reconstruct the administrative record, and prepare the certified administrative record on or before July 2, 2012. If the administrative record cannot be certified on or before July 2, 2012, Defendant shall file on or before July 2, 2012, a memorandum indicating all efforts taken to reconstruct the administrative record, as well as a declaration from the Chief of Court Case Preparation and Review Branch 3, Office of Disability Adjudication and Review, Social Security Administration, informing this Court, in detail, of all additional steps taken to locate the missing materials.

April 25, 2012

**s/THOMAS M. ROSE*

Thomas M. Rose
United States District Judge